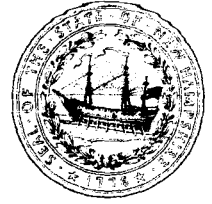




The State of New Hampshire  
***Department of Environmental Services***



**Michael P. Nolin**  
Commissioner

LETTER OF DEFICIENCY

No. WD SS 05-13

October 26, 2005

Mr. Steven Bell  
317 Mount Major Highway  
Alton, NH 03809

RE: CA2003057558

Dear Mr. Bell:

On October 18, 2005, personnel from the Department of Environmental Services, Water Division ("DES") conducted an inspection of the your property, described as Lot # 21-1, on Tax Map # 38, and located on Mount Major Highway, Alton, NH, 03809 ("the Property"). The purpose of this inspection was to determine whether you were in compliance with RSA 485-A and its implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules").

As a result of the inspection, the following deficiencies were noted:

1. The septic system installed on the Property was not installed by a licensed septic installer. The property is not solely the owner's primary domicile.
2. The septic system installed on the Property was not inspected by a DES inspector prior to covering the system.
3. The septic system installed on the Property is not sized properly to account for an apartment located on the upper floor of the commercial garden center.

DES expects the above deficiencies to be permanently corrected within 60 days by initiating and completing the following measures:

1. Engage a permitted septic system designer to prepare and submit septic system plans and specifications to DES for the total waste load generated on the Property.
2. Obtain approval to construct the system.

3. Contract with a licensed septic installer who is willing to take responsibility for the installation of the septic system on the Property and call for a proper inspection of the system by DES personnel.
4. Operate and maintain the system in accordance with NH Administrative Rule Env-Ws 1023.

DES believes the cited deficiencies will be corrected within 60 days and a report describing the corrective measures can be submitted to this office within 60 days of receipt of this letter.

In the event compliance is not achieved within this period, DES may take further action against you, including issuing an order requiring the above items to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. In addition, DES personnel will reinspect the Property at a later date to determine whether you have come into, and are maintaining, full compliance with all applicable statutes and directives.

The written report as requested above should be addressed as follows:

Richard J. de Seve, SSB, DES  
Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J. de Seve at 271-3442.

Sincerely,

A handwritten signature in black ink, appearing to read "William E. Evans", is written over a large, bold, black stamp that says "COPY".

William E. Evans, P.E.  
Administrator  
Subsurface Systems Bureau

WEE/RJD

**CERTIFIED MAIL 7099 3400 0002 9773 0345**

Cc: James G. Falicon, SSB, DES  
Gretchen C. Hamel, Enforcement Coordinator, DES  
Board of Selectmen, Town of Alton  
B. Boyers, Code Enforcement Officer, Town of Alton  
Richard J. de Seve, SSB, DES ✓